

Appeal

FILED
USDC, WESTERN DISTRICT OF LA
ROBERT H. SHERWELL, CLERK
DATE 6/5/01
BY CR

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAFAYETTE-OPELOUSAS DIVISION

METHANE AWARENESS
RESOURCE GROUP, DIESEL
COALITION, ET AL

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CIVIL NO. 96-2430

VERSUS

*

JUDGE HAIK
MAGISTRATE METHVIN

UNITED STATES OF AMERICA, ET AL

*

ORDER

As mandated by the Fifth Circuit in its opinion of May 25, 2001 remanding the referenced matter, this Court modifies its Order filed March 13, 2000, as follows:

1. Defendants have complied with the portion of paragraph one of the March 13, 2000 Order requiring Defendants to file the charter of the Board of Scientific Counselors with the House of Representatives Committee on Education and the Workforce. Defendants remain required to provide the Committee with all documentation of the Board of Scientific Counselor's peer review of the diesel study protocol, including revisions to the protocol made in response to the BSC's peer review, with a cover letter explaining why such information is being submitted. Defendants shall provide Plaintiffs with copies of all documents submitted to the Committee in compliance with this Order.

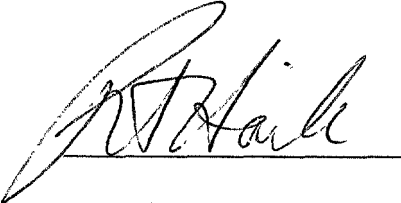
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2. Defendants shall submit to the U.S. House of Representatives Committee on Education and the Workforce all Diesel Study data requested by the Committee, as well as all draft reports, publications, and draft results or risk notification materials prepared in connection with the Diesel Study. Defendants shall not be required to submit data barred from disclosure under 26 U.S.C. § 6103 (tax information) unless and until the House of Representatives has passed a resolution authorizing the Committee to review the individual tax returns. Further, consistent with 42 U.S.C. § 242m(d), the cause-of-death information obtained from the States should be released to the Committee in aggregate form but not in a manner that would allow for the identification of individual decedents. Defendants shall refrain from publicly releasing information submitted to the Committee until 90 days after it is submitted to the Committee.

THUS DONE AND SIGNED in Lafayette, Louisiana, on the 5th day of June

2001.

COPY SENT:
DATE: 6/8/01
BY: OB
TO: Lemoine
Little
Beulian


RICHARD T. HAIK, SR.
U. S. District Judge